

**REQUEST FOR FILING A PATENT APPLICATION
UNDER 37 CFR 1.53(b)**

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION NUMBER	ART UNIT
LDC-791 3DIV	CLASS	SUBCLASS	10/036881	1714

Address to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

This is a request for filing a continued prosecution (☒ continuation ☐ divisional) application under 37 CFR 1.53(b), of pending prior application Serial Number 10/036881, filed January 4, 2002 entitled DENTAL COMPOSITE RESTORATIVE MATERIAL AND METHOD OF RESTORING A TOOTH.

- Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application number 10/036881, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(e))	- 20 =		X \$18=	\$
	INDEPENDENT CLAIMS (37 CFR 1.16(b))			X \$80=	
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ =	
				BASIC FEE (37 CFR 1.16 (a))	\$750
				TOTAL OF ABOVE CALCULATIONS =	\$750.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.19, 1.27, 1.28).				
	TOTAL =				\$750.00

- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 ☐ is enclosed ☐ was filed in prior application number ___/___ and such is still proper and desired (37 CFR 1.28(a)).
- ☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 04-0780. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$_____ is enclosed.

16235 U.S. PTO

10/624187



07/22/03

5. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
6. ☒ The inventor(s) of the invention being claimed in this application is (are):
John C. Subelka, Steven R. Jefferies, Donald A. Kapperman, Paul D. Hammesfahr and Paul A. Silver.
7. ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.60(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:
8. ☒ Amend the specification by inserting the first line the sentence: " This application is a ☐divisional ☒continuation of application serial number 10/036881, filed January 4, 2002; pending."
9. ☐ New formal drawings are enclosed.
10. ☐ Priority of foreign application number _____, filed on _____ in _____ is claimed under 35 U.S.C. 119.
11. ☐ A preliminary amendment is enclosed. Please enter the Preliminary Amendment before calculating the filing fee.
12. ☒ The prior application is assigned of record to DENTSPLY Research & Development Corp.
13. ☐ Also enclosed:
14. ☒ The power of attorney in the prior application is to: Douglas J. Hura, Reg. No. 33249; Dale R. Lovercheck, Reg. No. 28638; Nicholas J. Aquilino; Anthony J. DeLaurentis, Reg. No. 24757 and Carmen Santa Maria, Reg No. 33,453.
- a. ☐ The power of attorney appears in the original papers in the prior application.
- b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Address all future correspondence to: Douglas J. Hura, DENTSPLY INTERNATIONAL INC., 570 West College Avenue, York, PA 17405-0872.

7-22-03

Date



Douglas J. Hura

Patent Attorney Reg. No. 33249

- ☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record
☐ Filed under 37 CFR 1.34(a)
Registration number of acting under 37 CFR 1.34(a) _____

CERTIFICATE OF MAILING

By "EXPRESS MAIL"- Label No. ER057905732US

Date of Mailing by EXPRESS MAIL July 22, 2003

The Patent Application for GEN-901A was mailed by EXPRESS MAIL on July 22, 2003.




Douglas J. Hura

DENTSPLY INTERNATIONAL INC.
570 West College Avenue
York, Pennsylvania 17405

Physically delivered to the United States Post Office, York, Pennsylvania by: Teresa Euculano

I hereby certify that this paper or fee is being deposited with the United States postal Service "EXPRESS MAIL Post Office To Addressee" service, under 37 CFR 1.10, as modified by 68 Fed. Reg. 14332 (March 25k 2003) on the date indicated above and is addressed to Mail Stop ; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Teresa Euculano
Title: Patent Secretary
